

Date: June 24, 2009  
W.I.: 1251, 1252, 1253, 1254, 1255, 1256  
Referred by: BATA Oversight  
Revised: 07/22/09-BATA  
09/23/09-BATA  
12/16/09-BATA  
01/27/10-BATA  
02/24/10-BATA

### ABSTRACT

#### BATA Resolution No. 86, Revised

This resolution approves the FY 2009-10 Regional Measure 1 (RM 1), Regional Measure 2 (RM 2), Rehabilitation (Rehab), and Seismic Retrofit Program (SRP), and AB 1171 Capital and Toll Bridge Operating Budgets, consistent with the BATA Toll Bridge Program Plan of Finance. Budgeted revenues include RM 1, RM 2 and SRP toll revenues and interest income earned on BATA fund balances. Budgeted expenses include Caltrans operating costs for manual toll collection, maintenance of bridge facilities and facilities related to toll collection, and maintenance and operation of the Transbay Transit Terminal and BATA's direct operating costs, including cash counting and toll accounting operations and management of the FasTrak® electronic toll collection customer service center and system maintenance. The Toll Bridge Program Capital Budget for FY 2009-10 includes the budgets and fund allocations for the RM 1, Toll Bridge Rehabilitation, and SRP programs and budgets for the RM2 and AB 1171 programs. This resolution incorporates and supersedes all prior Toll Bridge Program capital project budgets and fund allocations.

Attachment F and G of this resolution was revised on July 22, 2009 to budget and allocate \$50.6 million in Toll Bridge Seismic Retrofit Funds to the Yerba Buena Island Detour Contract of the San Francisco-Oakland Bay Bridge East Span Seismic Safety Replacement Project. Discussion of this item can be found in the Executive Director's memorandums to the BATA Oversight Committee dated June 3, 2009 and July 1, 2009.

Attachment I of this resolution was revised on September 23, 2009 to establish a liability reserve of \$3,000,000 and a contract budget of \$2,000,000. Further discussion of this budget item is contained in the Executive Director's Memorandum dated September 2, 2009. The Chief Financial Officer is authorized to set aside a \$3,000,000 reserve and establish a \$2,000,000 contract budget against the liability reserve.

Attachment C of this resolution was revised on December 16, 2009 to allocate \$1.3 million in Regional Measure 1 funds for landscaping as part of the New Benicia-Martinez Bridge Project. Discussion of this item can be found in the Executive Director's memorandum to the BATA Oversight Committee dated December 2, 2009.

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Attachments D1 and D2 of this resolution were revised on December 16, 2009 to budget and allocate \$14.35 million in Toll Bridge Rehabilitation funds for the repair of a failed eyebar on the San Francisco-Oakland Bay Bridge and \$350,000 in Toll Bridge Rehabilitation funds to reimburse transit operators for extended and emergency services provided for during the October 2009 Bay Bridge closure, to deprogram several rehabilitation projects to fund the repair, to transfer toll rehabilitation planning funds for Caltrans oversight of the SFOBB West Span Pathway PSR, and other minor program updates. Discussion of these items can be found in the Executive Director's memorandums to the BATA Oversight Committee dated December 2, 2009 and December 8, 2009.

Attachment F of this resolution was revised on December 16, 2009 to allocate \$20 million in Toll Bridge Seismic Retrofit Funds for the procurement of light poles for the SFOBB East Span Replacement Project and to transfer previously allocated funds for railing modifications in and around the west approach to the SFOBB. Discussion of these items can be found in the Executive Director's memorandum to the BATA Oversight Committee dated December 2, 2009.

Attachment A of this resolution was revised on January 27, 2010 to amend the operating budget to include \$1,363,466 in encumbrance brought over from prior year and an additional \$1,683,000 for 2% transfers to MTC for ferry operations. Discussion of these items can be found in the Executive Director's memorandum to the BATA Oversight Committee dated January 6, 2010.

Attachment G of this resolution was revised on January 27, 2010 to allocate \$134.5 million in toll funds for Yerba Buena Island Transition Structures #1 Contract of SFOBB East Span Seismic Replacement Project. Discussion of this item can be found in the Executive Director's memorandum to the BATA Oversight Committee dated January 6, 2010.

Attachments D1, D2, F and G of this resolution was revised on January 27, 2010 to budget \$750 million (\$267 million and \$483 million respectively) in toll funds for the Antioch Bridge and Dumbarton Bridge Seismic Retrofit Projects in the Toll Bridge Seismic Retrofit Program, subject to adoption of a toll schedule increase, to re-allocate \$43 million from the Toll Bridge Rehabilitation Program to the TBSRP for the Antioch and Dumbarton Bridge retrofits, and to approve the release of the bid documents for the Antioch Bridge Seismic Retrofit and authorization for the BATA Executive Director to approve any future contract addenda for the project. Discussion of this item can be found in the Executive Director's memorandum to the BATA Oversight Committee dated January 6, 2010.

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Attachment C of this resolution was revised on February 24, 2010 to allocate \$6.5 million in Regional Measure 1 funds for the Interstate 880/State Route 92 Interchange Reconstruction Project. Discussion of this item can be found in the Executive Director's memorandum to the BATA Oversight Committee dated February 3, 2010.

Attachment G of this resolution was revised on February 24, 2010 to allocate \$800,000 in toll funds for Antioch Bridge Seismic Retrofit Project for environmental services. Discussion of this item can be found in the Executive Director's memorandum to the BATA Oversight Committee dated February 3, 2010.

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BAY AREA TOLL AUTHORITY  
RESOLUTION NO. 86

WHEREAS, Streets and Highways Code Sections 30950 et seq. created the Bay Area Toll Authority (“BATA”); and

WHEREAS, Streets and Highways Code §§ 30950 et seq. transfers to BATA certain duties and responsibilities of the California Transportation Commission (“CTC”) and California Department of Transportation (“Caltrans”) for the toll bridges owned and operated by Caltrans in the San Francisco Bay Area; and

WHEREAS, in accordance with Streets and Highways Code §§ 30950.2 and 30886, BATA is responsible for the administration of all toll revenues from state-owned toll bridges within the jurisdiction of the Metropolitan Transportation Commission; and

WHEREAS, Bay Area bridges are defined in Streets and Highways Code § 30910 to include the Antioch, Benicia-Martinez, Carquinez, Richmond-San Rafael, San Francisco-Oakland, San Mateo-Hayward, and Dumbarton Bridges, and

WHEREAS, Streets and Highways Code § 30950.1 requires BATA to adopt an annual operating budget; and

WHEREAS, Streets and Highways Code § 30958 authorizes MTC to retain an amount not to exceed 1 percent of the gross revenues collected from tolls annually on Bay Area bridges to pay for administrative costs, after payments for debt service on outstanding bonds, and BATA’s direct operating costs; and

WHEREAS, BATA staff has prepared a proposed budget for FY 2009-10 that includes anticipated revenues, expenses and reserves, as set forth in Attachment A to this resolution, attached hereto and incorporated herein by this reference; and

WHEREAS, pursuant to Streets and Highway Code § 30952, the State of California Department of Transportation (“Caltrans”) is responsible for the capital improvements of the state-owned toll bridges in accordance with programming and scheduling requirements as adopted by Authority; and

WHEREAS, Caltrans has requested that the Authority adopt budgets and allocate toll funds for capital outlay and support costs of the Regional Measure 1 (RM1) Program, Rehabilitation (Rehab) Program and the Toll Bridge Seismic Retrofit Program (SRP) on the state-owned toll bridges, as listed on attachments to this resolution; and

WHEREAS, pursuant to Streets and Highway Code § 30914, Authority is responsible for the budgeting and disbursing of Regional Measure 2 (RM2) toll revenues for capital projects in the Regional Traffic Relief Program; and

WHEREAS, pursuant to Streets and Highway Code § 30913 and 31010(b), Authority is authorized to budget and fund eligible AB 1171 Capital Program projects from toll bridge seismic retrofit surcharge funds exceeding legal requirements to fund and finance the SRP; and

WHEREAS, Streets and Highways Code § 30952.05 (b) specifies that all contract specifications and bid documents for the Benicia-Martinez Bridge, as described in Section 30917, and the state SRP projects, as described in Section 188.5, shall be reviewed and approved by BATA prior to their release; and

WHEREAS, Streets and Highways Code §§ 30952.05(c) and 30952.1(b) authorizes the Toll Bridge Program Oversight Committee (POC), created pursuant to Streets and Highways Code §30952.1, to implement project oversight and control processes for all projects covered by §30952.05 (b); and

WHEREAS, the POC recommends approval of bid specifications and documents and program budget and project allocation schedules for SRP projects for the adoption by BATA, as listed on the attachments to this resolution, attached hereto and incorporated herein as though set forth at length; and

WHEREAS, in accordance with the BATA finance plan (BATA Resolution No. 57), adopted by the Authority on September 28, 2005, and the bond covenants adopted under the Master Indenture and Supplemental Indentures, BATA is required to maintain an operations and maintenance reserve at twice the adopted operating budget and a Self Insurance Reserve of at least \$50 million.

WHEREAS, the BATA Oversight Committee met on June 10, 2009 to review the proposed FY 2009-10 Toll Bridge Program operating budget and the RM1, RM2, Rehab, SRP, and AB1171 capital budgets and fund allocations and recommended its approval; now, therefore, be it

RESOLVED, that BATA approves the FY 2009-2010 Toll Bridge Program operating budget as set forth in Attachment A to this resolution attached hereto and incorporated herein as though set forth at length; and, be it further

RESOLVED, that the BATA Oversight Committee may approve adjustments among line items as set forth in Attachment A providing that there shall be no increase in the overall budget without prior approval of BATA and, be it further

RESOLVED, that the Executive Director or his designee shall submit written requests to the BATA Oversight Committee for approval of funds to contract for applicable consultant and professional services; and, be it further

RESOLVED, that the Authority adopt budgets and allocate toll funds for the FY 2009-2010 RM 1, RM 2, Rehab, SRP, and AB 1171 programs for the state-owned toll bridges, as listed on Attachments B through H; and be it further

RESOLVED, that BATA approves the release of the contract specifications and bid documents for SRP projects as recommended by the POC; and be it further

RESOLVED, that BATA authorizes the Executive Director to approve the release of any further addenda to the bid documents that may be required through the bid advertisement period for projects approved by BATA for release of contract documents, as listed on Attachment G; and be it further

RESOLVED, that the Authority authorizes fund reserve designations, effective June 30, 2008, as listed in Attachment I.

RESOLVED, that the Executive Director or his designee shall report to the BATA Oversight Committee on any bid addenda that are issued and on any bids awarded; and be it further

RESOLVED, that the Authority may, from time to time, add to or amend the allocations authorized by this resolution through additional attachments or amendments to the attachments, as approved by the Authority, which are hereby incorporated in Resolution No. 86 by this reference.

RESOLVED, that the Executive Director or his designee shall furnish the BATA Oversight Committee with a periodic financial report to reflect estimated and actual income, expenditures, obligations for professional and consultant services, cash flow projections and such other information and data as may be requested by the Committee.

BAY AREA TOLL AUTHORITY

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Scott Haggerty, Chair

The above resolution was entered into by the Bay Area Toll Authority at a regular meeting of the Authority held in Oakland, California, on June 24, 2009.



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Attachments  
BATA Resolution No. 86

FY 2009-10 Toll Bridge Program  
Operating and Capital Budgets

Attachment A: FY 2009-10 Toll bridge Program (RM1, RM2, and SRP) operating budget.

Attachment B: RM 1 Toll Bridge Capital Program Budget, which shows the adopted capital budgets for the RM 1 funded projects.

Attachment C: FY 2009-10 RM 1 Toll Bridge Program capital outlay and capital outlay support allocations for the RM 1 projects.

Attachments D1 and D2: FY 2009-10 Toll Bridge Rehabilitation Program capital outlay and capital outlay support allocations for the toll bridges.

Attachment E: RM2 Capital Program Budget, which includes all RM2 capital projects listed as a part of the Regional Traffic Relief Plan.

Attachment F: SRP Capital Program Budget, which shows the adopted capital budgets for the SRP projects.

Attachment G: FY 2009-10 SRP capital outlay and capital outlay support allocations for the SRP projects.

Attachment H: AB 1171 Capital Program.

Attachment I: Authorized Fund Reserve Designations, effective June 30, 2009 and September 23, 2009.

# **Insert Excel File: Attachments A thru I**

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